





# DAILY NEWS

TUESDAY, MARCH 29, 1917

PRINTER TO THE STATE.

The Official Organ of the City.

PUBLISHED IN

The News Building, No. 5, Martin Street.

## SOUTHERN NEWS

The expenses of the recent session of the Louisiana Legislature were \$200,000 less than for any year since reconstruction.

The Hon. Randall L. Gibson, of Louisiana, has been invited to give the commencement address before the Yale Law School on June 26th.

Mr. Boughton, a distinguished apostle of Temperance, is laboring in Norfolk with great success. So far, nearly two hundred have enlisted in the "Cold Water Army."

Savannah News: Madison county boasts of a horned rooster that wins all his fights, not by kicking and pecking, but by his extraordinary speed. It is suggested that he be sent to the Paris Exposition.

The ship *Arzo*, which is about to sail for Liberia with negro emigrants from Charleston, S. C., was consecrated there by Bishop Brown of the African M. E. church, in the presence of over 5,000 colored persons.

The United States Courts do a thriving business in Georgia. For the four years ending July, 1917, the United States District and Circuit Courts in this State rendered judgments amounting to six millions of dollars—more than half as much as the judgments obtained in all the Southern States.

The attorney general of Louisiana has filed an application for a rehearing in the Anderson case. He contends that errors have crept into the decision of the State Supreme Court, no doubt from the imperfection of the record made by the State, and the shortness of time during which the court held the case under consideration.

The New Orleans grand jury, after investigating the charges made by Gov. Wells against the Superior Criminal Court, made a report refuting the charge that the presiding judge was a defaulter to the United States, and showing that he was acquitted of charges of embezzlement when a United States treasurer at New Orleans.

Senator Lamar sent this sentiment to Augusta, Ga.: "The typical Irishman: His home—the world. His friends—the people. His faith—his own. No claim to him so cold as will not produce a shamrock; no soil so barren as will not grow a shamrock. Foremost at a fight, a frolic, or a funeral, his generous nature finds a blow for the blow, a smile for the glad, or a tear for the sad."

Knoxville Chronicle: Since the State government, under its present management, has brought Tennessee to the verge of repudiation and disgrace, with all that term implies, we find a large number of East Tennessee Republicans, express themselves as favorable to such a movement. Not long since we published an able and vigorous communication on this subject from a leading citizen of East Tennessee. This communication attracted wide attention and elicited general comment, showing

Lenoir Topics: W. C. Newland has been appointed by Gov. Vance to the judgeship at West Point.

Lincolnton News: We notice in the county some very fine wheat. That crop throughout the county is looking well.

Monroe Enquirer: A revival is progressing at the Baptist Church at this place. Farmers report wheat as everywhere looking well. The area is said to be somewhat larger than usual.

Rockingham South: The barn and stable of Melvin Jacobs, in Wolf Pit township, was burned some days ago. A valuable young horse and an ox, perished in the flames. We understand that the fire was undoubtedly of incendiary origin.

Concord Sun: We hear that the Salisbury Fair is to be revived this Fall. A little daughter of a Mr. Springer, near Harrisburg, was tossed on the horns of a cow, last Monday, and its arm broken, besides receiving other injuries.

Bakersville Republican: During the heavy rain of the past week a water spout burst out near the top of the Pumpkin Patch mountain, with such force as to wash away the covering. Rev. John Sparks, and doing other damage to fences and out buildings. The recent rains have done more damage in the Western part of the country than has been done before for many years.

Pee Dee Bee: The escaped convict, Lockair, one of the parties implicated in the murder of the peddler, Brice, was seen near Laurel, Miss. church did a few days since. Quite a scope of country was burned over last week east of the R. & A. Railroad. The fire caught from the engine of the Raleigh train going North. It burned several crops of turpentine boxes and did considerable amount of damage otherwise.

Chattanooga Commercial: Gen. John T. Wilder, of Chattanooga, Tennessee, reports that Gen. A. Pardee and his associates have resolved to build a narrow gauge railroad from Johnson City, Tenn., to the Cranberry Iron Works, in Mitchell county, N. C., a distance of 30 miles, tapping the great magnetic iron ore region and connecting at the works with another narrow gauge road which is being pushed from Cleveland, South Carolina, affording direct communication with Wilmington and Charleston, South Carolina, when completed. Engineers will be put to work next month, and the enterprise pushed to an early consummation. This will enable the owners of iron mines in this region to ship ores to their mills in abundance, and will largely facilitate the manufacture of steel in every form.

Reidsville Times: The first instance of a jury that rendered a verdict they did not know they had rendered, happened in Greensboro last week in the case of McAdoo vs. Lindsey; on a negotiable note of insurance which McAdoo had bought on Lindsey from the insurance firm Ryan. The jury gave in a verdict for Lindsey, but next morning they stood upon the sidewalk and hitched at their trousers legs as they conversed of how entirely entitled they thought McAdoo was to the verdict, when a passer by who hadn't attended court so much as to lose all memory of the day before, caught at the words and flew with them to the lawyers. This threw the court into great confusion. Judge McKay had the jury filed before him in a single file and sure enough each man confessed that they had given to Lindsey what they "had no on" for McAdoo. A new trial was granted.

## Supreme Court Dodges.

Perhaps our citizens, and especially our brethren of the legal profession, are not aware how nicely the Supreme Court, at its recent session, dodged two very important and vital questions, involving the conflict of State and Federal jurisdictions. They seem to have done so, too, because they had not the moral courage in one case to acknowledge a former error committed by them in Dunlap's case, (65 N. C. 491, decided in 1871), and in the other, because they revolted at the logical results of their decision in the State vs. Hoskins, 77 N. C. 530.

Let us see if this is not so. In the State vs. Dunlap, Chief Justice Pearson decided that Dunlap had the right to remove the indictment for murder against him, to the Circuit Court, on the ground "that by reason of prejudice in the community, of Mecklenburg county, Dunlap could not have a fair trial in the State Courts;" and he treats the argument made by the State "that the power of removal under the Civil Rights bill only applied when there was a discrimination made by the law of the State as 'trite,' merely 'poetical and fanciful.'"

But when Judge Bond was called on to remove the case under this decision, to the Federal Court, he refused to do so under the ruling of the Supreme Court of the United States, in *Blyce vs. United States*, 19 Wall., p. 581; and more recently Mr. Justice Bradley seems to have put the question at rest in the application of Anderson of the Louisiana Returning Board, for a certiorari and removal. After a long opinion, in which he reviews the act and the Constitution, he concludes that "The allegations in regard to the manipulation of the law in such manner as to secure a jury inimical to the prisoner, and with regard to the existence of a general prejudice against him on the part of the Court, the jurors and the officials and the people in not within the purview of the statute authorizing a removal."

Now here are two decisions, one of the Supreme Court of the United States, the other of one of its judges in conflict with the decision in Dunlap's case, and yet, when the question was again squarely before our court in the State vs. John T. Schenck, colored, at its last term, and when the defendant had copied the very proceedings under which Dunlap's case came before our court, and the case was argued and authorities cited, our Supreme Court dodged by a continuance and *adieu*! because they had not the manliness to confess their error in Dunlap's case. This case against John T. Schenck, colored, is of four or five years standing, and yet the court continues the case as it was predicted they would do. The State's argument in Dunlap's case turned out not to be "trite."

The next dodge, by an *adieu*! is in the State vs. Ed. Roy, who is indicted in Wilkes County, for an assault with intent to commit a rape. Ray filed his petition for removal, exactly as in the Hoskins case, and alleged that the "assault was committed under color of his office," and the court below refused to remove and he appealed, and the question of removal was again squarely before the court, whether an assault and battery committed in the State could be removed to the Federal Court. But the logical results of the Hoskins decision was too revolting and unpopular to be followed up, for it would allow this case of alleged attempt to commit rape to be tried by the Circuit Court. The crime was the same as in Hoskins case, one was an assault with perhaps an intent to kill, the other an assault with intent to ravish but both were "assaults," and only differed in the aggravating intent with which they were made. This could only effect the punishment, but did not destroy the classification of the crime, nor does the United States Statute, providing for removal, make any distinction in classes of crime to be removed: it says "all criminal prosecutions."

Now it was the duty of our Supreme Court to "face the music" and either remove Ray's case or confess their error in Hoskins case. They didn't do it, they dodged. Our Supreme Court will find after awhile, in the State and National politics, that these questions are not "trite" and the people will demand that they do not dodge. We must have a Supreme Court that will resist the aggression of the Federal Court.

The Richmond Dispatch says: "An invention for conveying young fish over long stretches of railway has been perfected by Mr. Ferguson, fish commissioner of Maryland. The inventor is confident that it will be successful, and has departed with it to the Albemarle Sound, North Carolina, where the United States Commission, that Commissioner McDonald, of Virginia, will join the United States in the business at Albemarle Sound."

According to the Louisville Courier-Journal, the twenty insane asylums in this country cost \$19,500,000, and they do not accommodate ten thousand patients, while thousands of indigent lunatics are in jails and poor houses.

In North Carolina there is asylum room for less than three hundred patients, while there are more than a thousand crazy people in the State.

We are entering upon a judicial campaign. It will be the worst for us, if we do not conduct it judiciously.

The State Executive Committee of the Democratic party meets to-morrow in this city.

The Augusta News appeared the morning of St. Patrick's day in a full suit of green.

## SCHOOLS AND COLLEGES.

JOHNS HOPKINS UNIVERSITY. BALTIMORE.

The programme of studies for the year beginning September 18, 1917, will be sent on application.

## Law School.

THE UNDERSIGNED PURPOSES establishing a Law School in Raleigh for the preparation of young gentlemen for a degree in the law.

The advantages which this school offers are: The convenience of access to the best libraries, in opportunities for attending the courts and in visiting members of the bar and other prominent gentlemen, surpassing those of any other locality in the State.

Lectures will be delivered at night for the benefit of those engaged in business.

It is proposed to form a new class on the first of January next.

Applicants received immediately.

Terms of study, \$100. Tuition, \$100. Trusses, \$200. Trusses, \$200.

For full particulars, apply to the undersigned, or to the following gentlemen, who are associated with the project.

AGRICULTURAL WORKS.

T. HOS. S. GILLIAM,

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IRON WAREHOUSE,

21 N. Seymour St., Petersburg, Va.

Has in store for sale

The Virginia Plow,

The Atlas Plow,

The Grange Plow,

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Harrows, Cultivators,

Iron, Steel, &c., &c., &c.

Agent for the ARLINGTON FERTILIZER.

Feb. 28-3m

## THE ROANOKE AGRICULTURAL WORKS

Manufacture the celebrated

Weldon Plow,

and all other kinds Farming Implements.

HEATING STOVES at extremely low prices.

HOLLOW WARE of Norfolk prices.

Wagons, Carts and Wheelbarrows, constantly on hand.

Shedding and Pulpits made to order.

Also agent for Frick & Co's

ECLIPSE ENGINE,

Which is the best Engine for agricultural purposes ever made, and is especially adapted to ginning cotton, being absolutely free of damage from all sparks. Also

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STOCK & HAY SCALES,

OF FOUR TONS CAPACITY, price \$70, and can be put up by any ordinary mechanic.

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W. FOOTE TO THE FARMERS OF THE SOUTH

Improved Plows.

of various kinds.

COTTON PLOWS,

CULTIVATORS AND

TURN PLOWS,

with extra adjustable wings.

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Half Sweeps,

Equal to any Manufactured

NORTH OR SOUTH.

Send for price list.

Jan 1-0-12m W. R. DUNN & CO.,

Forestville, N. C.

MISCELLANEOUS.

Six Substantial Reasons

Why you should insure in the

Penn Mutual Life Insurance Company,

PHILADELPHIA, PA.

1st. Because it is one of the oldest Companies in the country, and past the day of experiment.

2d. Because it is a purely National Company. Every policyholder is a member of the company, entitled to all its advantages and privileges, and has a right to vote at all elections for trustees, and thus has an influence in its management.

3d. Because it has as large a percentage of assets to liabilities as any Life Insurance Company in the country.

4th. Because of economical management. It divides its expenses to total income in less than the average of Life Companies. (See Official Insurance Report.)

5th. Because it has declared more dividends in number and of a larger average percentage than any other company in the United States.

6th. Because it is liberal in its management, prompt in its settlements, and as low as any first-class company in the country.

PRINCIPAL FEATURES—small expenses, absolute security, large return premiums, prompt payment of losses, and liberal to the insured.

GEO. P. McDONALD, Gen'l Agent for Western North Carolina, Statesville, N. C.

GEO. P. McDONALD, Agent for Eastern North Carolina, Fayetteville, N. C.

Agents Wanted by both above General Agents, to work in their respective territories. Liberal contracts made.

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## TO LOVERS OF FLOWERS.

We desire to call your attention to our stock of

CHOICE FLOWER SEEDS.

We also have a full stock of Green House Plants, including Geraniums, Roses, Carnations, Fuchsias, Begonias, etc., etc.

SUMMER FLOWERING BULBS, Dahlias in sixty varieties, Gladioli in fifty varieties, 5,000 Tuberoses, Tritomas, etc., etc.

SMALL FRUITS, Strawberry, Raspberry, Blackberry Plant.

VEGETABLE PLANTS, Cabbage, Tomato and Egg Plants.

BOUQUETS, WREATHS, and Floral Designs made to order.

Plants sent by mail any day with satisfaction.

C. B. FAIRCHILD, Raleigh, N. C.

Feb 27-1

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We are constantly receiving New Goods, and sell them at the lowest market rates. Special attention given to orders from west side. Expertly fitted and seven down below Capitol Square, sign of golden mortar and pestle.

TRUSSES, \$1.00 TRUSSES, \$1.00

TRUSSES, \$1.00 TRUSSES, \$1.50

TRUSSES, \$2.00 TRUSSES, \$2.00

SEELY'S HARD RUBBER TRUSSES.

Comfort, Safety, Relief and CURE FOR RUPTURE.

Made in every desirable pattern—light, cool, clean, from all sorts of rubber, and putting up in waterproofed in bottles. Always reliable. Price \$2.00. Sent by mail. Complete instruction book included. Complete instruction for use by mail.

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## GROCERIES.

RECEIVED THIS DAY.

A very choice lot of Ham: Fulton Market best of best quality: Choice Cured Smoked "rolling Beef": Fresh Soda, Milk, Glacé and other

Cookery: Fine Pickles in bulk: Crosse & Black







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BUGGIES,  
BUGGIES,  
EXTENSION TOP FILEONS,  
DOCTOR'S FILEONS,  
AND BUSINESS WAGONS  
WITH PLATFORM  
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Attention will be given to consign  
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